

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**UNITED STATES OF AMERICA upon
the relation and for the use of the
TENNESSEE VALLEY AUTHORITY**

PLAINTIFF

V.

NO. 1:17-CV-149-DMB-DAS

**AN EASEMENT AND RIGHT-OF-WAY
OVER 5.59 ACRES OF LAND, MORE
OR LESS, IN OKTIBBEHA COUNTY,
MISSISSIPPI; JASON E. PATTERSON;
RENASANT BANK; and SCOTT R.
HENDRIX, Trustee**

DEFENDANTS

CONSENT JUDGMENT

1. Defendant Jason Patterson shall recover from Plaintiff \$46,000 as the full and final amount of just compensation for the taking of the easement and right-of-way condemned in this action, which amount has been deposited by Plaintiff into the registry of this Court and the disbursement of which is provided for in paragraph 2 below.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the amount of \$46,000, plus any accrued interest thereon less any applicable registry fee, payable to "Jason E. Patterson" in full satisfaction of this Judgment, and to mail such check to his counsel Lisa Reppeto, Esq., at Jones Walker, LLP, 190 East Capital Street, Jackson, Mississippi 39201.

3. Plaintiff is granted immediate possession of the condemned property and is hereby put into immediate possession of the property described below in Paragraph 4 to the extent necessary to permit the Tennessee Valley Authority to carry on any of its operations described in the pleadings filed herein, and that Defendant surrenders possession of such property to the

Tennessee Valley Authority.

4. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed in this action on September 20, 2017 (Doc. No. 2), is hereby fully and finally confirmed with respect to the easement and right-of-way described below, such description being the same as in Attachment 1 to the Declaration of Taking filed herein (Doc. No. 2-1):

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

TRACT NO. SPHTB-17

A strip of land located in Section 14, Township 18 North, Range 13 East, Oktibbeha County, State of Mississippi, as shown on a map entitled "Starkville – Philadelphia 161-kV Transmission Line Tap to Bluefield," drawing LW-5579, sheet 5B, R.0, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on the right side and 50 feet on the left side of the centerline of the transmission line location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Commencing at the northwest corner of Section 14, Township 18 North, Range 13 East and the northeast corner of Section 15, Township 18 North, Range 13 East; thence leaving said corner and with the west line of Section 14, Township 18 North, Range 13 East and the east line of Section 15, Township 18 North, Range 13 East S. 00° 18' 00" E., 615.94 feet to a point, said point being on the centerline of the

said location at survey station 136+75.04; thence leaving said point and with the said centerline N. 89° 41' 30" E., 1,224.56 feet to a point, said point being in the property line common between the lands of Jason E. Patterson and Thomas Barton Williams, et ux., said point being on the said centerline of the said location at survey station 148+99.60, said point being the Point of Beginning.

Thence from the Point of Beginning, said strip bounded on the west end by said property line; thence continuing with the said centerline and crossing the north-south 1/4 section line of the NW 1/4 of Section 14, Township 18 North, Range 13 East, N. 89° 41' 30" E., 1,356.38 feet to a point of intersection at survey station 162+55.98; thence continuing with the said centerline and crossing the east-west 1/4 section line of the NW 1/4 of Section 14, Township 18 North, Range 13 East, S. 00° 18' 17" E., 1,078.62 feet to a point, said point being in the north road right-of-way line of the land of Oktibbeha County Mississippi (Old Highway 12), said point being S. 66° 52' 00" W., 78.33 feet from the southeast property corner of Jason E. Patterson, said point being on the centerline of the said location at survey station 173+34.60, said strip being bounded on the south end by the said road right-of-way line.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 162+55.98.

Additionally, the above-described easement rights are acquired with respect to such appurtenant right, title, and interest as the owner of the above-described land may have in Tract SPHTB-22, Oktibbeha, County, Mississippi (Old Highway 12), the adjoining road right-of-way shown on the map referenced above.

The above-described strip of land includes the said centerline of the transmission line location for a net distance of 2,435 feet and contains 5.59 acres, more or less.

The above-described parcel of land is lying partially in the northwest 1/4 of the northwest 1/4 of Section 14, Township 18 North, Range 13 East, partially in the northeast 1/4 of the northwest 1/4 of Section 14, Township 18 North, Range 13 East and partially in the southeast 1/4 of the northwest 1/4 of Section 14, Township 18 North, Range 13 East of Oktibbeha County, State of Mississippi.

5. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title.

SO ORDERED, this 18th day of December, 2017.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE